

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NOEL RIVERA,

No. C 10-01050 WHA

Plaintiff,

v.

ORDER TO SHOW CAUSE

WELLS FARGO BANK, N.A., AS TRUSTEE
UNDER POOLING AND SERVICING
AGREEMENT DATED AS OF NOVEMBER
1, 2004, ASSET-BACKED PASS-THROUGH
CERTIFICATES SERIES 2004 WHQ2,
BARCLAYS CAPITAL REAL ESTATE d/b/a
HOMEQ SERVICING CORPORATION,
OLD REPUBLIC DEFAULT
MANAGEMENT SERVICES, ARGENT
MORTGAGE COMPANY, LLC, THE HOME
LOAN GROUP, and DOES 1–100, Inclusive.

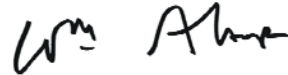
Defendants.

Defendants Wells Fargo Bank, N.A., as trustee under pooling and servicing agreement dated as of November 1, 2004, asset-backed pass-through certificates series 2004 WHQ2, and Barclays Capital Real Estate d/b/a Homeq Servicing Corporation, filed a motion to dismiss plaintiff's complaint. The motion is scheduled to be heard on April 29, 2010. Pursuant to Civil Local Rule 7-3, any brief in opposition to the motion was due on April 8, 2010, but no such opposition has been received. Plaintiff is **ORDERED** to respond by **NOON ON WEDNESDAY, APRIL 14, 2010**, and show cause for its failure to respond to the motion in accordance with Civil Local Rule 7-3(a) or alternately to file a statement of nonopposition to the motion as required by Civil Local Rule 7-3(b). This order to show cause does not constitute permission to

1 file a late opposition. The hearing on defendant's motion to remand is **VACATED**. A new
2 hearing shall be noticed by the Court if necessary.

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4 **IT IS SO ORDERED.**

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6 Dated: April 13, 2010.



7 WILLIAM ALSUP
8 UNITED STATES DISTRICT JUDGE
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